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Extreme poverty and human rights

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, submitted in accordance with Human Rights Council resolution 17/13.

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Report of the Special Rapporteur on extreme poverty and human rights

Summary

In the present report unpaid care work is positioned as a major human rights issue. Focusing on women caregivers, particularly those living in poverty, the Special Rapporteur argues that heavy and unequal care responsibilities are a major barrier to gender equality and to women's equal enjoyment of human rights, and, in many cases, condemn women to poverty. Therefore, the failure of States to adequately provide, fund, support and regulate care contradicts their human rights obligations, by creating and exacerbating inequalities and threatening women's rights enjoyment.

The report analyses the relationship between unpaid care and poverty, inequality and women's human rights; clarifies the human rights obligations of States with regard to unpaid care; and finally provides recommendations to States on how to recognize, value, reduce and redistribute unpaid care work. Ultimately, it argues that State policies should position care as a social and collective responsibility, in particular through improving women's access to public services, care services and infrastructure.

13-42271

I. Introduction

1. The present report is submitted by the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, in accordance with Human Rights Council resolution 17/13.

2. The present report benefits from an expert meeting convened jointly with the Office of the United Nations High Commissioner for Human Rights and UN-Women on 13 and 14 May 2013.[1] The Special Rapporteur also disseminated a questionnaire on the topic of unpaid care work and she wishes to thank those civil society organizations and national human rights institutions that responded; the responses are available on the mandate's website.[2]

II. Scope and rationale of the report

3. For the purposes of this report, unpaid care work includes domestic work (meal preparation, cleaning, washing clothes, water and fuel collection) and direct care of persons (including children, older persons and persons with disabilities, as well as able-bodied adults) carried out in homes and communities.

4. The line between unpaid care work and other types of unpaid work — for example in subsistence agriculture or family businesses — is not always easy to draw.[3] However, unpaid (non-care) work is included in calculations of gross domestic product (GDP) and systems of national accounts and increasingly recognized in development programming and food security initiatives. In contrast, domestic work and caring for people has remained largely invisible in economic calculations, statistics, policy and political discourse, and is commonly undervalued by society and policy makers, despite the fact that its monetary value is estimated at from 10 to over 50 per cent of GDP.[4] Even human rights advocates and monitoring bodies have so far paid little sustained attention to the human rights implications of unpaid care work. This is highly problematic, given that care not only contributes to well-being, social development and economic growth but also has an enormous impact on the enjoyment of human rights of both caregivers and care receivers.

5. Considering the limited length of this report and the mandate's focus on extreme poverty and human rights, no attempt is made to assess the extensive issue of human rights and care holistically. Rather, the report focuses specifically on the human rights of unpaid caregivers, in particular women living in poverty who provide unpaid care. Other relevant human rights implications of unpaid care work — such

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[1] Information available from www.ohchr.org/EN/Issues/Poverty/Pages/UnpaidWork.aspx.

[2] See www.ohchr.org/EN/Issues/Poverty/Pages/UnpaidWork.aspx.

[3] For a summary of the distinctions, see Shahra Razavi, "The political and social economy of care in a development context", United Nations Research Institute for Social Development (UNRISD), Gender and Development Programme Paper No. 3, June 2007.

[4] Depending on the country/region and measurement used. An UNRISD study of six countries estimated 10 to 39 per cent (see Debbie Budlender, "The statistical evidence on care and non-care work across six countries", UNRISD, Gender and Development Programme Paper No. 4, December 2008), but measurements in different countries have been higher. Estimates for 2009-2010 in Australia suggest that the amount of unpaid care work undertaken was around 21.4 billion hours, equivalent to 50.6 per cent of GDP (S. A. Hoenig and A. R. E. Page, *Counting on Care Work in Australia*, report prepared by AEC*group* Limited for economic Security4Women, Australia, 2012).

as tensions between care and unwanted dependency, abuses against persons with disabilities or older persons, and children's right to receive quality care — are not addressed, and only brief recommendations are made on paid domestic work. The Special Rapporteur hopes that this report will nevertheless encourage broader discussion of the human rights implication of care work.

6. In 1995, the Beijing Declaration and Platform for Action highlighted the importance of tackling the unequal distribution of paid and unpaid work between men and women, as an essential step towards achieving gender equality. Unfortunately, very little progress has been made since that time. The neglect of unpaid care in policy persists, at great cost to caregivers themselves. Across the world, millions of women still find that poverty is their reward for a lifetime spent caring, and unpaid care provision by women and girls is still treated as an infinite, cost-free resource that fills the gaps when public services are not available or accessible. This report calls for a fundamental shift in this status quo, as part of States' fundamental human rights obligations. Without further delay, public policies should position care as a social and collective responsibility and treat unpaid caregivers and those they care for as rights holders.

III. Women's unpaid care work: the human rights framework

7. Across the world, women and girls commit substantially more time than men to unpaid care work.[5] This heavy and unequal responsibility for unpaid care is a barrier to women's greater involvement in the labour market, affecting productivity, economic growth and poverty reduction. Most importantly, however, the unequal distribution, intensity and lack of recognition of unpaid care work undermines the dignity of women caregivers, obstructs their enjoyment of several human rights on an equal basis with men, undermines progress towards gender equality and entrenches their disproportionate vulnerability to poverty across their lifetime.

8. States' actions or inactions define who has access to quality care and who bears the costs of its provision. For example, where public services are unavailable, of low quality or not sufficiently adapted to the needs of carers — for example, school hours that do not correspond with parents' working hours — the unpaid care work of families and communities is intensified. When the State fails to adequately regulate, fund or provide care, the burden shifts to families who have to make their own arrangements. Owing to gender stereotypes related to family and work, such as "male breadwinners", "women as carers/nurturers", this generally means that women assume the bulk of the work, to the detriment of their human rights enjoyment.

9. The difficulties, intensity and gendered distribution of unpaid care work create and perpetuate unequal rights enjoyment and gender inequality, and cause human rights violations. States therefore have concrete obligations in this regard. Various international human rights treaties, including the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and

[5] See Debbie Budlender, *Time Use Studies and Unpaid Care Work* (New York, Routledge, 2010), and Marzia Fontana, "Gender dimensions of rural and agricultural employment", in *Gender Dimensions of Agricultural and Rural Employment: Differentiated Pathways out of Poverty — Status, Trends and Gaps* (Rome, Food and Agriculture Organization of the United Nations, 2010).

Political Rights, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities establish legally binding obligations that ought to compel States to address the issue of unpaid care.

10. The international human rights framework is further complemented by labour standards, in particular International Labour Organization (ILO) Conventions such as Convention No. 156 on workers with family responsibilities, Convention No. 183 on maternity protection,[6] and Convention No. 189 concerning decent work for domestic workers. Compliance with all these obligations is essential in removing gender inequalities and discrimination and recognizing and redistributing unpaid care work.

11. As care is relational, in many ways the rights of caregivers are symbiotically intertwined with the rights of care receivers: overburdening caregivers with unpaid care work has an impact on the quality of the care they are able to provide. Therefore, when unpaid care work is not adequately recognized, supported or valued by the State, the rights of those who rely on care provision for their health, life and well-being may also be violated, particularly in low-income households.[7] For the rights of both caregivers and care receivers to be realized, the cost of care must be assumed by society more broadly.

A. Inequality and discrimination

12. In both developed and developing countries women work longer hours than men when unpaid work is taken into account.[8] However, because of structural discrimination, the work women do in the home is seen as unskilled and less valuable to society, meaning that men not only receive higher earnings but also more recognition for their contribution. This situation renders many women socially and financially dependent on men, thereby restricting their agency and autonomy.[9]

13. The unequal distribution of unpaid care work is highly reflective and determinative of power relations between women and men. Discriminatory gender stereotypes, which construe women as second-class citizens whose place is in the home, cause and perpetuate this unequal distribution of work, rendering women's equal enjoyment of rights impossible. Addressing care responsibilities is thus an essential component of the obligations of States to ensure gender equality at home, work and in society more broadly.

14. The amount, intensity and drudgery of unpaid care work increase with poverty and social exclusion. Women and girls in poor households spend more time in unpaid work than in non-poor households,[10] in all countries at all levels of

[6] See also corresponding International Labour Organization Recommendations Nos. 165 and 191.

[7] International Labour Organization (ILO) and United Nations Development Programme (UNDP), *Work and Family: Towards new forms of reconciliation with social co-responsibility* (New York and Geneva, 2009).

[8] See Rania Antonopoulos, "The unpaid care work-paid work connection", Levy Economics Institute, Working Papers Series (25 July 2008); Sarah Cook and Shahra Razavi, "Work and welfare: revisiting the linkages from a gender perspective", UNRISD Research Paper No. 7 (Geneva, 2012); ActionAid, *Making Care Visible: women's unpaid care work in Nepal, Nigeria, Uganda and Kenya* (February 2013); available from www.actionaid.org.

[9] Shahra Razavi, *The Political and Social Economy of Care in a Development Context*.

[10] See, for example, ILO and UNDP, *Work and Family*.

development.[11] This imbalance has a number of causes, including limited access to public services for people living in poverty, lack of adequate infrastructure in the regions and communities where they live, and lack of resources to pay for care services or time-saving technology.

15. For example, inadequate State provision of key infrastructure such as energy and water and sanitation facilities has a disproportionate impact on poor women and girls living in rural areas in developing countries, who spend large amounts of time collecting water and fuel for household use. Studies indicate that in sub-Saharan Africa 71 per cent of the burden of collecting water for households falls on women and girls,[12] who in total spend 40 billion hours a year collecting water, equivalent to a year's worth of labour by the entire workforce in France.[13]

16. Not only do women living in poverty perform the lion's share of unpaid care work, they also stay poor because they do so. Dedication to unpaid care work and resulting scarcity of time have significant financial and opportunity costs that perpetuate poverty among women.

17. Intensive unpaid care workloads create chronic time deficits, limiting opportunities for women and girls to access and progress in education, participate in income-earning activities and accumulate retirement incomes and savings, contributing to their higher vulnerability to poverty. Constraints imposed by care responsibilities also contribute to the concentration of women in low-waged, precarious, unprotected employment, in hazardous or unhealthy conditions with high risk to their health and well-being. Such jobs are less likely to enable them to lift themselves out of poverty. Ultimately, the combination of lack of time and social subordination restricts women's ability to participate on an equal footing in public life.

18. The situation is often even worse for women who experience discrimination and social exclusion on other grounds, such as ethnicity, race, colour, health or marital status. For example, in some countries discriminatory beliefs about marginalized ethnic minorities exacerbate their marginalization and are linked to the common overrepresentation of women of marginalized ethnic groups in low-paid unprotected work.

19. States' neglecting or failing to address women's disproportionate unpaid care workload can be seen as a major failure to comply with the obligations regarding equality and non-discrimination which are the pillars of international human rights law.[14] States must take all necessary measures to ensure that unpaid care work does not have a disproportionate impact on women's enjoyment of rights, and create the conditions to ensure that it is undertaken on a basis of equality between men and women.

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[11] See, for example, Australian Human Rights Commission, *Investing in Care: Recognising and Valuing Those Who Care*, vol. I, *Research Report* (Sydney, 2013).

[12] *The Millennium Development Goals Report 2012* (United Nations publication, Sales No. E.12.I.4).

[13] UNDP, *Resource Guide on Gender and Climate Change* (2009).

[14] See, inter alia, International Covenant on Civil and Political Rights, articles 2 (1) and 3; International Covenant on Economic, Social and Cultural Rights, articles 2 (2) and 3; and the Convention on the Elimination of All Forms of Discrimination against Women, especially articles 2 (f), 5 (a) and 11.

20. Human rights standards are concerned with the pursuit of substantive equality, rather than just formal equality. This is explicit in the approach of the Convention on the Elimination of All Forms of Discrimination against Women, which recognizes that achieving equality requires transforming unequal power relations between women and men and ensuring that all human beings can develop and make choices without the limitations set by stereotypes, rigid gender roles and prejudices.[15] The Convention emphasizes that a gender-neutral policy may result in de facto discrimination against women, and that, to ensure that women enjoy the same rights as men and reach substantive equality, they may need to be treated differently.

21. The Convention obliges States parties to take all appropriate measures to modify or abolish laws, regulations, customs and practices that discriminate against women (article 2 (f)). This includes the obligation to modify "the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women" (article 5). The gendered division of unpaid care work, fostered by stereotypes which delineate men as breadwinners and women as carers/nurturers, is clearly one such practice.

22. In order to ensure that women enjoy all their rights on equal terms with men, States must take all appropriate measures to ensure that care responsibilities are equally shared by men and women. The Convention expressly refers to the sharing of responsibility among men and women and wider society in regard to the upbringing of children (preamble). It notes that States parties must ensure "the recognition of the common responsibility of men and women in the upbringing and development of their children" (article 5). This provision requires States to combat patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men within the family and society at large,[16] and to address discrimination in education and employment and the compatibility of work requirements and family needs.[17] States must, inter alia, prohibit discrimination or dismissal on the grounds of pregnancy or maternity and ensure that men and women have equal opportunities to choose their profession or occupation (see for example articles 11.2 and 16).

23. While fostering sociocultural change is a medium- to long-term objective, ensuring the equal enjoyment of rights of men and women is an immediate obligation for States. Therefore they must take immediate actions to alleviate the intensity of women's unpaid care work and redistribute their disproportionate share, including through the "provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life" (article 11 (2) (c)).

24. States must not dismiss the distribution of unpaid care work between women and men as a matter for the private sphere. As stipulated in article 2 (e) of the Convention, the obligations of States include their duty to act with due diligence to

[15] Committee on the Elimination of Discrimination against Women, general recommendation No. 28, para. 22.

[16] See for example, CEDAW/C/SGP/CO/4, paras. 21-22; CEDAW/C/USR/CO/7, paras. 20-21; and CEDAW/C/MUS/CO/6-7, para. 18.

[17] Committee on the Elimination of Discrimination against Women, general recommendation No. 29, para. 8.

prevent violations of rights by private actors,[18] and the gendered division of labour in households is no exception in this regard. Inequality in these matters reflects and underlies many other aspects of discrimination against women[19] and therefore has much wider implications for women's equality in society.

25. Given the intimate connection between the position of women in the private sphere and their exclusion from full enjoyment of civil, cultural, economic, political and social rights, States must recognize the value and gendered impact of unpaid care work, and take appropriate action to ensure that its difficulty/intensity is lessened and its distribution shared more equally on both the societal and household levels.[20] The State has a strong role to play in this regard, for example by mobilizing resources and providing accessible affordable public services towards these ends.

B. Impact of unpaid care on the enjoyment of a range of rights

26. Women, especially women living in poverty, face multiple, overlapping and variable obstacles to their enjoyment of rights due to care responsibilities they carry throughout their life cycle. Girls may be withdrawn from school or unable to achieve their full potential owing to care work in the home, restricting their future opportunities; during pregnancy or early childcare women are more likely to face employment loss or labour insecurity; while older women find themselves with lower levels of retirement savings because of caring responsibilities. These life-cycle risks have a profound effect on the enjoyment of their rights as well as on the inter-generational transmission of poverty. If women are unable to enjoy a particular human right on an equal basis with men, this is unequivocally a violation of the right in question.

27. It is hard to think of a human right that is not potentially affected in some way by the unequal distribution and difficulty of unpaid care work. In this section, the focus is on specific economic, social and cultural rights as well as the right to participation, but this should not be interpreted as an exhaustive list. Excessive burdens of unpaid care work may threaten the enjoyment of other human rights by caregivers, such as freedoms of speech, association and assembly. Moreover, because unpaid care work is so time-consuming and arduous, especially for women living in poverty, women are often unable to enjoy their right to rest and leisure .[21]

1. The right to work

28. The right to work is often a crucial enabling factor for dignity, personal development and social and economic inclusion.[22] The right to work signifies the right to paid work — "the right of everyone to the opportunity to gain his living by

[18] Committee on the Elimination of Discrimination against Women, general recommendation No. 19.
[19] Committee on the Elimination of Discrimination against Women, general recommendation No. 16.
[20] Committee on the Elimination of Discrimination against Women, general recommendation No. 29, para. 18.
[21] Universal Declaration of Human Rights, article 24.
[22] Committee on Economic, Social and Cultural Rights, general comment No. 18.

work which he freely chooses or accepts".[23] Men and women must be able to exercise this right on equal basis.[24]

29. Undoubtedly, women cannot enjoy this right equally if they have a disproportionate share of (unpaid) work at home. Gendered distribution of, and stereotypical assumptions about, family and caring responsibilities are at the root of much of the discrimination and limitations women experience in the labour market: barriers to entering employment, fewer opportunities for advancement, lower wages and higher levels of informal and insecure work.[25] Moreover, women's right to decent work is consistently perceived as inferior to that of men. Simultaneously, discrimination against men who seek to perform a greater share of caring and family responsibilities further entrenches gender stereotypes and disadvantages women.

30. Unpaid care is often a determining factor in women's decisions or opportunities regarding work. Studies show that time devoted to unpaid care work is a major obstacle to women taking on paid employment or starting an income-generating activity outside the home.[26] In Latin America and the Caribbean, over half of women surveyed aged 20 to 24 did not seek outside employment because of unpaid responsibilities; the number of women in this group was in fact higher than the number in the education system.[27]

31. Guaranteeing the exercise and enjoyment of women's right to work on an equal basis with men requires that States take all appropriate measures to ensure "that in law and in practice, men and women have equal access to jobs at all levels and all occupations".[28] States must thus take all appropriate measures to address a broad range of obstacles that care providers face in the exercise of their right to work. Given the centrality of unpaid care work to discrimination against women in the field of work, a meaningful gender-sensitive national policy or strategy to tackle these obstacles is essential.[29] Necessary measures range from the adoption of appropriate labour regulations to the provision of quality services to support care.

32. States are also obliged to take steps to prevent third parties, including business enterprises or private individuals, from interfering in the equal enjoyment of the right to work. For example, States have a legal obligation to ensure that employers do not discriminate against women on the basis of assumptions about the primacy of their care obligations or because of beliefs that women's place is in the home.

33. The right to work also requires States parties to take positive measures to enable and assist unpaid caregivers to enjoy the right to work without discrimination and to implement technical and vocational education plans to facilitate access to

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[23] International Covenant on Economic, Social and Cultural Rights, article 6.

[24] Ibid., article 3; and Convention on the Elimination of All Forms of Discrimination against Women, article 11.

[25] ILO and UNDP, *Work and Family*.

[26] In the United Republic of Tanzania, a one-hour reduction for every 10 hours per week spent on water and fuel collection increased the probability that women would engage in off-farm business activities by 7 per cent; see UNDP, *Unpaid Care Work*, Gender Equality and Poverty Reduction Policy Brief, issue No. 1 (October 2009). See also Fontana, "Gender dimensions of agricultural and rural employment".

[27] Antonopoulos, "The unpaid work-paid work connection", citing data from the Economic Commission for Latin America and the Caribbean.

[28] Committee on Economic, Social and Cultural Rights, general comment No. 16.

[29] ILO Convention No. 111.

employment.[30] To this end, States will need to actively consider the constraints faced by unpaid caregivers in the design and implementation of plans, programmes and other measures. Moreover, States must take measures to progressively ensure access to quality and affordable public services, such as facilities for children and dependents, that enable caregivers to undertake paid work.[31]

2. Rights at work

34. Under human rights law, all persons have the right to just and favourable conditions of work, including remuneration which provides at a minimum fair wages, equal pay for equal work and a decent living; safe and healthy working conditions; and rest, leisure, reasonable limitation of working hours and periodic holidays with pay.[32] There are complex links between inequality at home and inequality in the workplace, including unequal pay, conditions and rights.

35. The gendered division of unpaid care work is a major reason why women do not enjoy equal rights at work, including fair and equal wages and safe and healthy working conditions. All too often, unpaid care and lack of institutional support for this work traps women between stereotyped gender roles and economic expediency,[33] pushing them into precarious informal employment that is badly paid and involves long hours in difficult conditions. Care responsibilities may also create a barrier to membership of, or active participation in, trade unions for women. As a result, for many women living in poverty with unpaid care responsibilities, work is not empowering but rather a survival necessity.[34]

36. States must identify and eliminate the underlying causes of inequality and discrimination in this context, including the causes of pay differentials, and reduce the constraints faced by men and women in reconciling professional and care responsibilities.[35]

37. Also relevant — given that unpaid caregivers are disproportionately represented in informal jobs — are State obligations to reduce to the fullest extent possible the number of workers outside the formal economy, apply labour legislation to all workers, and ensure that domestic and agricultural work is properly regulated so that domestic and agricultural workers enjoy the same level of protection as other workers.[36]

38. International labour standards also address equal opportunities and equal treatment for men and women workers with family responsibilities.[37]

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[30] Committee on Economic, Social and Cultural Rights, general comment No. 18, para. 27.

[31] International Covenant on Economic, Social and Cultural Rights, article 6 in conjunction with article 2 (1); and Convention on the Elimination of All Forms of Discrimination against Women, article 11 (2) (c).

[32] International Covenant on Economic, Social and Cultural Rights, article 7.

[33] Hania Sholkamy, "How private lives determine work options: reflections on poor women's employment in Egypt", in Ayşe Buğra and Yalçin Özkan (eds.), *Trajectories of Female Employment in the Mediterranean* (London, Palgrave Macmillan, 2012).

[34] Ibid.

[35] Committee on Economic, Social and Cultural Rights, general comment No. 16, para. 24.

[36] Committee on Economic, Social and Cultural Rights, general comment No. 18, para. 10.

[37] ILO Convention No. 156 and corresponding ILO Recommendation No. 165.

3. Right to education

39. Unpaid care work can also compromise the enjoyment of the right of girls and women to education.[38] Entrenched gender stereotypes about the place of women in the home and the family, and the unpaid care work girls and women are expected to perform throughout their lives, often deprive women and girls of time, autonomy and choice to exercise this right.

40. Owing to structural discrimination, girls are sometimes taken out of school to undertake unpaid care work, such as housework and care of younger children. Even more frequently girls' equal chances to achieve in education are hampered because they have less time for studying, networking or socializing at school as a result of these duties. This is likely to occur especially when mothers are disabled or deceased, as girls are expected to assume their unpaid care obligations.[39] For women with children, lack of support, from within the household and from the State, may mean that they have to forsake skills development, training opportunities and further education in order to undertake childcare and domestic work. Therefore, women and girls are not able to enjoy their right to education, or its positive effects such as empowerment and economic opportunity, on an equal basis with men, with great social and economic losses to the society as a whole.

41. States must take all appropriate measures to ensure that women can enjoy the same access to, quality of and opportunities in education and training as men.[40] The prohibition against discrimination in relation to the right to education[41] applies fully and immediately to all aspects of education;[42] therefore States must ensure that girls and women can enjoy their right to all types and levels of education on an equal basis with boys and men. This may require the adoption of concrete measures to ensure that unpaid care work in the home does not interfere with their schooling, for example, providing accessible public services and adequate infrastructure to support the unpaid care work in households and communities and reduce its time burden.[43] According to the Committee on Economic, Social and Cultural Rights, States' obligations in regard to the right to education encompass ensuring that communities and families are not dependent on child labour and that third parties, including parents and employers, do not stop girls from going to school.[44]

42. In addition, States must closely monitor education policies, institutions, programmes, spending patterns and other practices so as to identify and take measures to redress any de facto discrimination in the right to education.[45] States are also required to eliminate any stereotyped concept of the role of men and

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[38] International Covenant on Economic, Social and Cultural Rights, article 13; Convention on the Elimination of All Forms of Discrimination against Women, article 10.

[39] A. E. Yamin, V. M. Boulanger, K. L. Falb, J. Shuma and J. Leaning, "Costs of inaction on maternal mortality: qualitative evidence of the impacts of maternal deaths on living children in Tanzania", PLoS ONE 8(8): e71674. doi:10.1371/journal.pone.0071674 (August 2013).

[40] Convention on the Elimination of All Forms of Discrimination against Women, article 10.

[41] International Covenant on Economic, Social and Cultural Rights, article 13.

[42] Committee on Economic, Social and Cultural Rights, general comment No. 13, para. 31.

[43] For example, a project in rural Morocco that reduced the time girls spent fetching water contributed towards a 20 per cent increase in girls' school attendance. UN-Water, *Gender, Water and Sanitation: A Policy Brief*, June 2006; available from www.unwater.org.

[44] Committee on Economic, Social and Cultural Rights, general comment No. 13, paras. 55 and 50.

[45] Ibid., para. 37.

women in all forms of education, and encourage types of education that will break these stereotypes.[46]

4. Right to health

43. The right to health[47] may also be affected by unpaid care work. There are limits to how much care a person can give without negative impacts on their own health. Thus, when public policies implicitly assume the free and limitless availability of unpaid care, and fail to take it into account by supporting, funding or provisioning care, this can have a major impact on the health of women caregivers and the quality of care that they are able to provide.

44. Unpaid care work can be arduous, stressful, emotionally difficult and even dangerous — for example through exposure to communicable diseases, fumes or burns from cooking stoves or risk of attack or assault while fetching fuel or water. If left unsupported, the mental and physical health of women with heavy unpaid care responsibilities may deteriorate dangerously;[48] for example studies show that HIV/AIDS caregivers experience a negative impact on physical and mental health.[49] Moreover, women with heavy unpaid care workloads may not be able to access adequate healthcare for lack of time or money. This is especially so in contexts where there is no free universal basic healthcare, or where communities living in poverty are underserved by health services.[50]

45. The right to health requires States parties to provide quality and accessible health care and take measures to ensure the underlying determinants of health. This includes access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, and also healthy occupational and environmental conditions,[51] which clearly many unpaid caregivers living in poverty do not enjoy.

46. As part of their core obligations States must ensure the right of access to health facilities, goods, information and services — including in the area of sexual and reproductive health — on a non-discriminatory basis, especially for vulnerable or marginalized groups.[52] They must therefore remove all barriers to access for women living in poverty with unpaid care responsibilities, and provide services that are sensitive to gender and life-cycle requirements, including the demands and constraints of unpaid care work, for example by providing childcare facilities and

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[46] Convention on the Elimination of All Forms of Discrimination against Women, article 10 (c).

[47] International Covenant on Economic, Social and Cultural Rights, article 12.

[48] For example, according to Carers UK research, 79 per cent of unpaid carers in Scotland experience mental ill-health as a result of caring. Scottish Human Rights Commission, *Getting it Right? Human Rights in Scotland*, October 2012; available from www.scottishhumanrights.com.

[49] Olagoke Akintola, "Towards equal sharing of care responsibilities: learning from Africa", paper prepared for an Expert Group Meeting organized by the Division for the Advancement of Women of the Department of Economic and Social Affairs of the United Nations Secretariat, 6-9 October 2008.

[50] A. E. Yamin, "Toward transformative accountability: applying a rights-based approach to fulfil maternal health obligations", *Sur — International Journal on Human Rights*, vol. 7. No. 12 (June 2010).

[51] Committee on Economic, Social and Cultural Rights, general comment No. 14, para. 11.

[52] Ibid., paras. 11 and 21.

services within the community. States also have an obligation to ensure, as a matter of priority, access to reproductive, prenatal, postnatal and child health care.[53]

47. Ensuring the enjoyment of rights of other members of the population — such as older persons, children and persons with disabilities — will also prove beneficial to their caregivers, by alleviating and redistributing intensive care needs. In this regard, inter alia, States are required to provide physical as well as psychological rehabilitative measures aimed at maintaining the functionality and autonomy of older persons; and attention and care for chronically and terminally ill persons.[54]

5. Right to social security

48. The right to social security[55] provides that all persons have the right to equal enjoyment of adequate protection from social risks and contingencies, through contributory (social insurance) or non-contributory (social assistance) schemes, without discrimination of any kind.[56] Social security benefits such as old age pensions, child benefits and unemployment benefits, while not directly providing care, can play an important role in helping households purchase essential inputs (food, school materials, and health services) or to pay for care services where necessary.

49. However, the demands of unpaid care work often force women into precarious and informal jobs not covered by social insurance schemes linked to employment, such as paid parental leave, unemployment insurance or pensions. This further contributes to their poverty and economic dependency on men.

50. Even those women who are able to combine unpaid care work with formal jobs are disadvantaged; their work histories and social security contributions are more likely than those of men to be interrupted by periods of full-time caregiving, and therefore they are less likely to receive an adequate pension on retirement. Thus, the gendered division of unpaid care work is one of the key reasons why older women are more likely to live in poverty than their male counterparts.

51. In contexts where the majority of the population is not formally employed and does not benefit from contributory social insurance, social assistance schemes such as social transfers are critical to ensure sufficient income for an adequate standard of living, and to purchase the necessary inputs into caregiving. Under human rights law, States parties are obliged to establish non-contributory schemes in order to uphold this right for the most disadvantaged and marginalized groups.[57] For example, social pensions often play a critical role in ensuring that women receive adequate protection in old age (see A/HRC/14/31).

52. Policymakers must ensure that unpaid care work does not hamper women's equal enjoyment of the right to social security. Social security and social assistance programmes must take account of women's unequal burden of unpaid care work.[58] For example, States must take measures to ensure that social insurance schemes are

[53] Ibid., para. 44.
[54] Ibid., para. 25.
[55] See, for example, Universal Declaration of Human Rights, articles 22 and 25; and International Covenant on Economic, Social and Cultural Rights, article 9.
[56] Committee on Economic, Social and Cultural Rights, general comment No. 19.
[57] Ibid., paras. 23 and 50.
[58] Ibid., para. 32.

designed to take account of factors, including child-rearing periods, that prevent women from making equal contributions.

53. States must ensure that women and men must have an equal right to family benefits[59] and these should be provided taking into account the resources and circumstances of the household. All women, including those in informal or atypical work, should be granted paid maternity leave and benefits for an adequate period and States must take steps to the maximum of their available resources to ensure that social security systems cover persons working in the informal economy.[60]

6. Right to enjoy the benefits of scientific progress

54. Lack of access to infrastructure and technology, including water and sanitation facilities, electricity and domestic technologies, exacerbates the unpaid care work of women living in poverty who have to dedicate a huge amount of time to domestic tasks such as fetching water or preparing foods. For example, a study in the Democratic Republic of the Congo showed that women with traditional stoves worked as much as 52 hours per week more than would be necessary with fuel-efficient stoves.[61]

55. Because unpaid care work is unrecognized and undervalued, Governments rarely make investments in the development and distribution of affordable technology that could significantly reduce the intensity and duration of women's work within the home. Lack of access to such technologies undermines women's well-being and reduces the time they can allocate to the more interactive part of care that would better improve the well-being of care recipients.

56. States must ensure that unpaid caregivers, in particular in deprived and remote areas, enjoy the right to enjoy the benefits of scientific progress and its applications[62] without discrimination. A core element of this right is that innovations essential for a life with dignity should be accessible to everyone, in particular marginalized populations (A/HRC/20/26, para. 29).

57. To this end, States should ensure the physical availability and economic affordability of inexpensive technologies, such as grain mills and fuel-efficient stoves, as well as the basic infrastructure, such as electricity, that could significantly reduce the amount and drudgery of women's work within the home. In remote and isolated areas, access to technology for water delivery is particularly relevant. States must facilitate improved and sustainable access to water, particularly in rural and deprived urban areas; they also have an immediate obligation to ensure that women are not disproportionately bearing the burden of water collection.[63]

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[59] Convention on the Elimination of All Forms of Discrimination against Women, article 13 (a).

[60] Committee on Economic, Social and Cultural Rights, general comment No. 19, paras. 18, 19 and 34.

[61] Bourque and Kega-Wa-Kega, "Assessing the impact of fuel-efficient stoves in Minembwe", Oxfam Germany, unpublished paper, 2011.

[62] International Covenant on Economic, Social and Cultural Rights, article 15; and Universal Declaration of Human Rights, article 27.

[63] Committee on Economic, Social and Cultural Rights, general comment No. 15, paras. 26 and 16 (a).

7. Right to participation

58. Owing to systematic gender inequality and discrimination, the lack of value assigned to their work, its location in the domestic sphere and the time it entails, unpaid caregivers are often chronically disempowered and unable to enjoy their right to participation[64] in cultural, social, political and economic life (see A/HRC/23/36).

59. One of the most significant factors inhibiting women's capacity to participate in public life is men's failure to share unpaid care work, and the lack of services supporting this work.[65] Intense and unequal care responsibilities often confine women to the domestic sphere, excluding them from paid work and public life and preventing them from participating in important decision-making processes at the community and national level.

60. Lack of women's perspective in policymaking on agriculture, water and food management, despite their being key actors in these areas, results in misinformed decision-making and jeopardizes women's rights further. Similarly, policy discussions at all levels suffer from an inherent bias because women and men with intensive caring responsibilities are not present, contributing to the invisibility and inattention to care work in public policy.

61. As the Committee on the Elimination of Discrimination against Women has stated, relieving women of some of the burdens of domestic work would allow them to engage more fully in the life of their communities.[66] In the short term, States must ensure that women's unpaid care responsibilities are not a barrier to their participation in public and political life on an equal basis with men, at the national, regional and local levels (see A/HRC/23/36). In the long term, to ensure women's full and equal enjoyment of this right, States must work towards an equal distribution of unpaid care work, including by tackling traditional gender norms and stereotypes.

IV. The urgency of prioritizing care in policy

62. Addressing care as a human rights issue is particularly imperative at this time when, owing to several factors and trends, caregiving arrangements are under great pressure. Rising levels of female education and workforce participation, and changes in the organization of labour and production — for example increased job turnover and decreased social security coverage — has squeezed the time that families can allocate to care. Simultaneously, water, fuel and food shortages, climate change,[67] major health crises and migration have intensified care needs and responsibilities, particularly in developing countries. Through all of this, the

[64] Universal Declaration of Human Rights, articles 21 and 27; International Covenant on Civil and Political Rights, article 25; International Covenant on Economic, Social and Cultural Rights, articles 13.1 and 15.1; and Convention on the Elimination of All Forms of Discrimination against Women, articles 7, 8, 13 (c) and 14.2.

[65] Committee on the Elimination of Discrimination against Women, general recommendation No. 23, para. 10.

[66] Ibid., para. 11.

[67] Climate changes have led to excessive rain, dust or temperatures, exacerbating difficulties in accessing fuel and clean water.

stereotypical view of gender roles in the household has not changed significantly.[68] Disastrously, many States have failed to respond to these challenges in a rights-based and inclusive manner, instead cutting back on social investment and in particular failing to provide accessible and quality public services.

63. In this section, the impacts of the HIV/AIDS pandemic, global migration and austerity measures will be examined, because of their profound ongoing effects on the unpaid care of women living in poverty.

64. The HIV/AIDS pandemic has severely disrupted and/or increased unpaid care work in many countries. Women are affected by the virus in greater numbers than men[69] and also, in conjunction with girls, provide 70 to 90 per cent of HIV/AIDS care.[70] Caring for an AIDS patient can increase the workload of a family caretaker by one third,[71] so that scarce family financial resources, as well as women's time, are stretched even further. The Special Rapporteur has seen herself during country visits how in communities ravaged by HIV/AIDS the desperate care needs of the sick as well as orphans and other vulnerable children all too often go unmet by the State. Instead, grandmothers, aunts or older girls struggle to fill the care deficit. Moreover, the burden of caring is disproportionately borne by people living in poverty, especially in rural areas, even in those contexts where HIV is more common among urban, wealthier people.[72]

65. Many States with high rates of HIV/AIDS rely on home-based care undertaken by family or community members, essentially shifting the responsibility for care from public institutions to women living in poverty.[73] The long-term social and economic costs of this strategy have been greatly underestimated. Women may have to give up or lose their jobs involuntarily and are likely to find it difficult to return to work, while women who are self-employed may lose earning opportunities. Eighty per cent of family caregivers in South Africa have reported reduced income levels.[74] States' failure to provide meaningful support or alternatives to home-based care impedes greater gender equality, intensifies the poverty and insecurity of whole households, and also threatens the rights, health and well-being of those requiring care.

66. In many countries in the global South, growing numbers of women are compelled to migrate in order to provide for the future of their family, often as a result of shortages of well-remunerated jobs at home. Often migrant women take on jobs abroad as domestic workers, in what has been called the "global care chain". Migrant workers therefore fill the unmet need for care services in the richer destinations, while family members that remain at home must devise new strategies

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[68] World Bank, *On Norms and Agency: Conversations about Gender Equality with Women and Men in 20 Countries* (Washington, D.C., 2012).

[69] Women account for nearly 60 per cent of people living with HIV in sub-Saharan Africa (Joint United Nations Programme on HIV/AIDS (UNAIDS), *Report on the Global AIDS Epidemic 2012*).

[70] UNDP, *Unpaid Care Work*.

[71] UNAIDS, United Nations Population Fund and United Nations Development Fund for Women, *Women and HIV/AIDS: Confronting the Crisis* (New York and Geneva, 2004).

[72] Debbie Budlender and Ruth Meena, "Unpaid and overstretched: coping with HIV & AIDS in Tanzania", in Shahra Razavi and Silke Staab (eds.), *Global Variations in the Political and Social Economy of Care: Worlds Apart* (United Kingdom, Routledge, 2012).

[73] Akintola, "Towards equal sharing of care responsibilities".

[74] Anesu Makina, "Caring for people with HIV: state policies and their dependence on women's unpaid work", *Gender and Development*, vol. 17, No. 2 (2009).

for reorganizing tasks and care responsibilities in their absence.[75] Overall, this intensifies the care deficit in poorer countries.

67. Women's migration generally does not prompt changes in the sexual division of labour; the extra unpaid care responsibilities usually fall to older women and girls within the household or community. These global care chains reflect and, in some ways, exacerbate enormous inequalities in terms of class, gender and ethnicity. The people who make up the chains, from the first to the last link, are almost exclusively female, often belong to an ethnic minority in their destination country, and generally cannot rely on State support for their care responsibilities.[76]

68. Recently, austerity measures in both developed and developing countries[77] have engendered massive expenditure cuts, including to public services and social protection budgets. As infrastructure and public services are eroded and formal employers contribute less to the costs of care, care responsibilities are shifted back to families, while purchasing basic commodities and care substitutes becomes difficult because of the fall in earnings and the high unemployment rate.[78] Simultaneously, in some developed countries policies intending to remove women from welfare benefits and force them into employment are being implemented, in a context of high unemployment and labour flexibility, and where childcare services are inadequate. As a consequence of these measures women's time is further stretched and their unpaid care work increases, especially in households living in poverty;[79] indeed, it is implicitly expected to act as an unlimited and cost-free alternative to public services and as a shock-absorber for the crisis.

V. Policy implications and recommendations to States

69. **When States do not adequately provide, fund, value and regulate care, women inevitably take on a greater share of its provision, to the detriment of their enjoyment of human rights. States must therefore adopt all necessary policy measures in order to achieve the recognition, reduction and redistribution[80] of unpaid care work. The international human rights framework, which rests strongly on the principles of non-discrimination and equality, and the obligations and accountability of States, must be an important source of guidance in this regard.**

70. **Public policies should position care as a social and collective responsibility rather than an individual problem, and treat unpaid caregivers and those they**

[75] Fiona Williams, "Making connections across the transnational political economy of care", in Anderson and Shutes (eds.), *Care and Migrant Labour: Theory, Policy and Politics* (forthcoming 2014).

[76] ILO and UNDP, *Work and Family*.

[77] Although the imposition of austerity measures has been most documented in Europe, recent findings suggest that fiscal contraction is most severe in the developing world. Isabel Ortiz and Matthew Cummins, *The Age of Austerity: A Review of Public Expenditures and Adjustment Measures in 181 Countries* (Initiative for Policy Dialogue and the South Centre, New York and Geneva, 2013).

[78] European Women's Lobby, *The Price of Austerity: The Impact on Women's Rights and Gender Equality in Europe* (October 2012).

[79] Fontana, "Gender dimensions of agricultural and rural employment".

[80] The "recognize, reduce and redistribute" framework was first conceptualized by Diane Elson. See UNDP, *Unpaid Care Work*.

care for as rights holders. A transformative approach is clearly required under human rights law, including tackling gender stereotypes and traditional roles.[81] In order to move effectively towards this, State policies must recognize and value the importance of unpaid care, but without reinforcing care work as women's sole responsibility or supporting particular models of the family to the exclusion of others.

71. As the causes and consequences of unpaid work inequalities are multilayered, multiple and complementary, policy interventions to effectively remedy their negative effects will be necessary. The recommendations in the present report concentrate on the measures that are most likely to be accessible and effective for women living in poverty. In this regard, the Special Rapporteur places particular emphasis on the imperative for States to provide accessible and high-quality public services and infrastructure, in particular in the most disadvantaged areas. Conversely, the report does not contain detailed recommendations on issues like parental leave, maternity pay and flexible work arrangements. Despite the importance of these measures, in the context of extensively informal employment relations they would not reach the vast majority of women living in poverty around the world.

72. Both developed and developing countries have voluntarily assumed international human rights obligations regarding women's human rights and gender equality that require them to take immediate actions to address unpaid care work. Addressing unpaid care is not an option that States can choose to act upon only after achieving a certain level of development. Still, given the wide diversity of country contexts, States must consider which specific policy options are most relevant given the challenges they face in achieving gender equality. For example, measures related to physical infrastructure and timesaving domestic technologies may be more of an imperative in low-income countries.

73. In line with the human rights approach, all policies must be participatory in their design and implementation, provide for accountability and redress mechanisms and be based on the objective to meaningfully empower women socially, politically and economically.

A. Establishing a consistent and comprehensive legal and policy framework

74. A wide range of laws and legislation are relevant to addressing unpaid care work. These include employment law, anti-discrimination law, family law, and legislation focused specifically on carer's rights. States must go beyond gender-neutral responses and ensure that laws and policies in all these areas actively alleviate the disadvantages that unpaid caregivers experience. To this end, States should develop mechanisms to ensure that laws and policies do not have unintended adverse effects on unpaid caregivers and do not enforce or perpetuate gender stereotypes.

75. First, those States that have not ratified the Convention on the Elimination of All Forms of Discrimination against Women should do so

[81] See, for example, Convention on the Elimination of All Forms of Discrimination against Women, article 5.

urgently. All States should remove any reservations to the Convention and ensure its full and effective implementation, and also ratify the Optional Protocol. They should also ratify ILO Conventions Nos. 156, 183 and 189 and ensure that national legislation is brought fully into conformity with these and their corresponding Recommendations.

76. In order to create an enabling legal framework, States must ensure comprehensive equality and non-discrimination legislation. This should include explicit prohibition of discrimination on the basis of maternity and family or carer responsibilities in all areas of public life, and the right to equal pay for equal work. These laws and regulations must cover part-time,[82] atypical and informal workers. Similarly, the legal framework must include reproductive rights, prohibit child marriage and remove any remaining family laws in place, including those relating to divorce, inheritance and division of marital property.

77. Labour rights should also be enshrined in law, including regulation of the length of the working day, minimum wage and rights to social security for all workers, including informal workers, domestic workers and community care workers. The right to maternity and parental leave should also be enshrined in legislation. All workers, regardless of gender, employment status, company size or the specific nature of their care relationship, should enjoy a legal right to request flexible working, with recourse to an independent appeal system.

78. The rights of carers should be explicitly recognized in legislation, with reference to their right to social security and their right to an adequate standard of living, including through income support where necessary. These rights can be elaborated through the development of national care standards and/or carer recognition legislation with enforceable obligations, based on human rights principles including equality and non-discrimination, self-determination, autonomy and participation.

B. Measuring unpaid care work

79. Lack of timely, reliable and comparable sex-disaggregated data on women's unpaid care work is a major obstacle to evidence-based gender-sensitive policymaking, leading to negative outcomes for those who perform significant amounts of unpaid work. States should therefore conduct regular time-use surveys, with a view to recognizing, reducing and redistributing unpaid care work.[83]

80. Time-use data collected must be sufficiently detailed to inform gender-sensitive policies:[84] disaggregated by sex and age, measuring simultaneous activities, including and differentiating housework, care of persons and fuel and water collection. Data collection methods must be inclusive of socially

[82] See ILO Convention No. 175.

[83] In Committee on the Elimination of Discrimination against Women general recommendation No. 17 and the Beijing Platform for Action States are also urged to develop methods for assessing the value of unremunerated work.

[84] See Valerie Esquivel, "Sixteen years after Beijing: what are the new policy agendas for time-use data collection?", *Feminist Economics*, vol. 17, No. 4 (2011).

excluded persons and/or people living in extreme poverty, for example by adapting surveys for illiterate respondents. Time-use surveys can also be collected as modules in household surveys and in general labour force surveys, with a view to generating quality data.[85]

81. Careful measurement of unpaid care work will allow a more comprehensive vision of socioeconomic and gender inequalities and the characteristics of poverty. States should consider adopting a multidimensional measure of poverty that includes time poverty and distribution of unpaid work time.[86]

82. Improving recognition of unpaid care work also necessitates making the data collected available and accessible, and informing and sensitizing public officials and the general public about the distribution, importance and effects of such work. The data collected should be used to assess the impact of economic and social policies on the intensity and distribution of unpaid care work in the household. It should be used proactively in gender-sensitive policymaking, including budgeting. To this end, it will be necessary to train policymakers and public officials to understand the data, and enhance their capacity to analyse it and use it in policy, programming and budgeting.

C. Applying a care perspective in policymaking

83. States must ensure that a consideration of care work, and its gendered distribution and impact, is systematically integrated into policies across all relevant sectors, including macroeconomic policies.

84. States should take a comprehensive and holistic approach, considering both the needs and well-being of caregivers and care receivers when making policy and addressing the rights enjoyment of both groups. Before new public policies are implemented, their impact on the quality, amount, intensity and distribution of unpaid care work should be assessed.

85. Fiscal and macroeconomic policies are no exception. In order to better uphold the human rights of women caregivers living in poverty, States should, inter alia, design tax systems to proactively promote an equal sharing of both paid and unpaid work between women and men, and implement food and fuel price stabilization policies. Especially given the effects of unpaid care on productivity and the labour force, States should analyse and design macroeconomic policy taking into account unpaid care. Expenditure cuts must not be made in ways that add to the amount of unpaid work that women have to do in families and communities. Similarly, employment creation programmes must not ignore the reality of unpaid care work, as the long-term effects of precarious work, and care deficits to children, ill or elderly persons may far outweigh the short-term gains in income for individuals or countries.

86. All policies and programmes across all sectors should challenge gender stereotypes related to unpaid care work and promote its more equal

[85] See Valerie Esquivel, Debbie Budlender, Nancy Folbre and Indira Hirway, "Explorations: time-use surveys in the south", *Feminist Economics*, vol. 14, No. 3 (2008).

[86] See Rania Antonopoulos, Thomas Masterson and Ajit Zacharias, *The Interlocking of Time and Income Deficits: Revisiting Poverty Measurement, Informing Policy Responses* (UNDP, 2012).

distribution. For example, any financial support to carers should be paid to the primary caregiver regardless of sex, biological relationship to the care receiver or the form of the household or family. Similarly, social assistance programmes must be designed taking into account the intense unpaid care responsibilities of women living in poverty. Thus, collecting payments, or meeting co-responsibilities, such as ensuring a child's attendance at school, must not significantly increase the already heavy workloads of women, and programmes must not reinforce the maternal/caring roles of women without involving men.

87. **States must ensure that social protection systems do not create significant inequalities between those who have an interrupted participation in the labour force — due for example to parenthood, care for older persons or persons with disabilities — and those who do not. At a minimum, States must provide universal non-contributory social pensions that are sufficient for an adequate standard of living, and ensure that women living in poverty can access them. The introduction of carer credits into a country's pension or superannuation system can provide a method of explicitly recognizing those years spent providing unpaid care.**[87]

88. **All social protection programmes, including employment guarantee programmes, must be participatory, gender-sensitive and accessible to women with care responsibilities. Information regarding social protection programmes and eligibility must reach women living in poverty working in the home, through locally adapted and gender-sensitive communication strategies.**

89. **In order to move towards women's equal enjoyment of the right to work, an unpaid care perspective on labour market policies is also crucial. Various measures should be considered to eliminate de facto sex discrimination in employment, for example financing parental leave or maternity benefits publicly, putting in place policies to help people back into work once they have taken time out of the labour force, and incentivizing carer-friendly employment practices and work arrangements, in collaboration with trade unions, industry bodies and employers. Certainly, States must proactively address the persistence of gender-based wage gaps and link job creation to an increase in the supply of care through expanded public services (see below). As the undervaluation of unpaid and paid care work go hand in hand, it is also important to improve working conditions, enjoyment of rights, and pay for care workers and domestic workers.**

90. **In the light of the many gender, socioeconomic and racial inequalities inherent in the global care chain, States — both countries of origin and destination countries — should pay greater attention to care issues in migration policy, from protecting the rights of migrant domestic workers to supporting the care needs of those they leave behind.**

91. **States should also take account of unpaid care work in development planning and programming, including in the post-2015 development agenda. Any goals, indicators and targets adopted should reflect an awareness of the intensity and distribution of unpaid care work and its impact on women's human rights and opportunities for human development. To this end, equality in access to public services should constitute a central goal.**

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[87] Australian Human Rights Commission, *Investing in Care*.

D. Reducing and redistributing unpaid care work

92. **States must act to ensure more equal distribution of care work. This requires redistribution in three forms: redistribution between women and men; redistribution from households to the State; and redistribution of time and resources towards poorer families and households.**

93. **For the latter two forms of redistribution, the crucial interventions are provision of public services and provision of infrastructure, through which States can reduce the overhead time of poor households and the drudgery of unpaid care work (see paras. 95-105 below).**

94. **In order to achieve greater equality in sharing unpaid care work between women and men, in general and within households, the solutions must be public as well as private. It is necessary for the State to facilitate, incentivize and support men's caring, for example by ensuring that they have equal rights to employment leave as parents and carers, and providing education and training to men, women and employers. To facilitate long-term change, educational programmes, to be used in schools and communities, should be developed to challenge stereotypical, traditional male and female roles and promote the concept of shared family responsibility for unpaid care work in the home.**

1. Public services

95. **For the poorest women, accessible, gender-sensitive public services are the most direct and effective way to redistribute their heavy unpaid care workload and reduce its drudgery and intensity. This can have a direct impact on their enjoyment of human rights, and the rights of those they care for. In many contexts, the provision of such services is a matter of great urgency.**

96. **Quality public service provision should be free at the point of use (for example health services and primary education) or at affordable cost (for example water and sanitation and transport), in order to give unpaid caregivers the option to undertake other pursuits such as paid work, participation in public life, education or self-care, while ensuring a level of care for their dependants. States should therefore preserve and boost investment in public services, especially in times of economic crisis when inequalities become more pronounced. The principles of non-discrimination and equality require States to ensure that public services meet the standards of availability, accessibility, acceptability, adaptability and quality,[88] and to expand coverage in ways that reduce class, gender and regional inequalities, focusing on physical and economic accessibility for the most disadvantaged persons, groups and regions.**

97. **Policymakers should implement general measures, such as eliminating user fees in primary education and basic health care, including sexual and reproductive health care, and progressively implementing free universal health care. More specific measures adapting and reforming public services, directly guided by the need to alleviate unpaid work demands on women and girls, will also be necessary. Such measures might include free school food programmes; extended school day programmes; improvements to palliative care systems; and**

[88] For a fuller explanation of these standards, see, for example, Committee on Economic, Social and Cultural Rights general comment No. 14.

the introduction of household/community care capacity assessments to guide hospital discharge decisions.

98. In particular, quality and affordable care services for carers and parents can have a major positive impact on the human rights of both caregivers and receivers. Investment in childcare, elder care and disability support should therefore be increased, prioritizing disadvantaged and underserved areas. The services should be affordable, and provided free to those who cannot afford to pay. In particular, all women should have economic and physical access to high-quality, culturally appropriate childcare for children under school age, including children with disabilities. As well as having a major positive impact on women's right to work, quality early childhood education accessible to people living in poverty has many proven benefits for children and society as a whole. Innovative approaches such as mobile crèches should be considered in order to reach communities living in poverty.

99. Low-income countries can overcome resource constraints by building on existing social care programmes to provide better working conditions and improve the quality of care, for example through the expansion of child nutrition centres into quality preschool or educational centres with wider coverage.

100. An important part of the State's investment in care services is the recruitment of adequate numbers of paid care professionals such as nurses, and providing them with decent pay and working conditions. Overall, States should shift from a strategy of reliance on market and voluntary provision of care that is informal and exploitative to one that allows professional, decently paid and compassionate forms of care.

101. States affected by the HIV/AIDS pandemic should also take specific measures to ensure that unpaid home-based caregivers are adequately supported, including by providing counselling, training, livelihood support and skills development, savings and credit schemes, medical supplies and equipment.

102. States have a duty to regulate private service providers, to ensure that they are not violating the human rights of the population they serve, including the rights to equality and non-discrimination and the principles of availability, accessibility, acceptability, adaptability and quality. To this end, a human rights impact assessment should be conducted before care services are outsourced to private providers, and at regular evaluation intervals.

2. Infrastructure and technology

103. The time burden of unpaid care work for women living in poverty can be significantly alleviated if there is adequate infrastructure in place in their communities — particularly through reduced time spent on travel to workplaces or markets, meal preparation, water collection and fuel collection. The availability, access to, and use of, critical infrastructure must therefore be significantly improved, prioritizing disadvantaged areas such as remote rural communities and informal settlements, explicitly seeking to provide better access for these communities to work and services.

104. The construction of new roads, affordable public transport, low-cost electricity, solar and water energy for domestic purposes, and water and

sanitation infrastructure are particularly crucial in this regard. In addition, States should increase construction of health care facilities and schools in underserved areas, as well as related infrastructure such as gender-segregated sanitation facilities. Where appropriate, village-level reforestation programmes and local rainwater harvesting schemes can also dramatically reduce the time women spend on water and fuel collection.

105. **The development and distribution of affordable time and labour-saving and home-based technologies such as fuel-efficient stoves and grain mills is also crucial to reducing time spent on unpaid care in developing countries. Such technologies should be invested in and incentivized, guided by participatory needs assessments in disadvantaged communities, and costs should be subsidized to make them affordable for people living in poverty.**

E. Promoting empowerment of unpaid caregivers

106. **In order to uphold their right to participation, tackle gender stereotypes and create an enabling environment for the more equal sharing of unpaid care work, States must take concerted action to meaningfully empower unpaid caregivers.**

107. **Care users, caregivers and other stakeholders should be proactively supported to participate in the design, implementation and monitoring of care services and other relevant policies. States and other relevant branches of Government must build the capacity of unpaid caregivers to participate in decision-making processes, including by providing them with accessible, up-to-date information about their rights, and services and benefits available to them. Participatory mechanisms must be designed to be accessible to women living in poverty with unpaid care responsibilities, for example by providing on-site childcare at meetings.**

108. **Support, including financial support, should be given to the work of women's organizations and men's groups challenging the gender norms that allocate responsibility for care work to women and girls.**

VI. Recommendations for national human rights institutions

109. **In order to position unpaid care work as a major human rights issue, build up evidence in this regard and alleviate women's poverty resulting from unpaid care work across their life cycle, the Special Rapporteur urges national human rights institutions to include the issue of unpaid care work in their research, policy, advocacy and programming work and to apply a human rights and gender equality perspective to this work. In addition, she encourages them to raise the issue with human rights mechanisms and bodies, including the universal periodic review, human rights treaty bodies, and the Commission on the Status of Women, including when country reports are reviewed.**